

76-4052/2

30 November 1976

MEMORANDUM FOR: General Counsel

SUBJECT: Use of Professional Aptitude Test
Battery (PATB)

REFERENCE: Memo For DDCI; From Chairman, DCI
EEO Advisory Panel; Dated 24 November 1976, Same Subject

1. The referent memorandum contains several recommendations concerning the Agency's use of the PATB and in Paragraph 2 gives the impression that the recommendations are based on legal requirements stemming from Griggs v Duke Power Company, a 1971 Supreme Court decision which declared certain employment and personnel practices prohibited by the Civil Rights Act of 1964.

2. While Griggs predates the amendment to the Civil Rights Act which prohibits discriminatory employment practices in the federal sector, (42 U.S.C. Section 2000e-16) it may be that cases decided under the amendment have applied the holding in Griggs or even stricter standards to the Federal government. In your opinion, is acceptance of any of the recommendations in the referent memorandum dictated by legal requirements flowing from 42 U.S.C. Section 2000e-16 or cases decided thereunder?

[Redacted Signature]

Assistant to the Deputy Director

Attachment:
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Next 1 Page(s) In Document Exempt

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